

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

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Application No.:	10/772,518	§	Examiner:	Chen, Qing
Filed:	February 5, 2004	§	Group/Art Unit:	2191
Inventor(s):		§	Atty. Dkt. No:	5150-38605
	Robert E. Dye, Darshan Shah,	§		
	Steve Rogers, Greg Richardson,	§		
	Dean A. Luick	§		
Title:	GRAPHICAL	§		
	PROGRAMMING	§		
	SYSTEM WITH BLOCK	§		
	DIAGRAM EXECUTION	§		
	AND DISTRIBUTED	§		
	USER INTERFACE	§		
	DISPLAY	§		
		§		

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**Response to Notice of Non-Compliant Appeal Brief**

**Box: Appeal Brief - Patents**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

Further to the Office Communication of November 02, 2009, Appellant presents this Supplemental Appeal Brief to bring the Appeal Brief into compliance. Appellant respectfully requests that this appeal be considered by the Board of Patent Appeals and Interferences.

Please replace Section III. STATUS OF CLAIMS in the Appeal Brief with the following amended section:

### **III. STATUS OF CLAIMS**

Claims 1-58 are cancelled. Claims 59-104 are pending in the case. Claims 59-104 stand rejected under 35 U.S.C. § 102(b) and are the subject of this appeal. A copy of claims 59-104, incorporating entered amendments, as on appeal, is included in the Claims Appendix hereto.

## REMARKS

The Notice of Non-Compliant Appeal Brief indicated that Section III. STATUS OF CLAIMS in the Appeal Brief filed on October 6, 2009 was defective for failing to list the status of all claims. Specifically, claims 1-58 were not indicated as cancelled. Applicant thus submits the above revised Status of Claims section in which these claims are indicated as cancelled, and respectfully submits that the Appeal Brief is now compliant.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above-referenced application(s) from becoming abandoned, Appellant(s) hereby petition for such extensions. The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Meyertons, Hood, Kivlin, Kowert & Goetzel P.C., Deposit Account No. 50-1505/5150-38605/JCH.

Respectfully submitted,

/Jeffrey C. Hood/  
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Date: 2009-11-20 JCH/MSW